

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	4:08CR3164
	)	
v.	)	
	)	
JOSE ANTONIO GARCIA,	)	MEMORANDUM AND ORDER
	)	
Defendant.	)	
	)	

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The court has been advised that the defendant's residence in Sioux City is within a prohibited residential zone for sex offenders. Thus, the defendant cannot be released to reside there, as it would be putting him in immediate violation of the condition of release prohibiting him from violating a state law. Therefore, the order will be rescinded; once the defendant has a residence in a satisfactory location, it can be reinstated.

IT THEREFORE HEREBY IS ORDERED,

The order setting conditions of release, filing no. [24](#), is withdrawn and rescinded. Defendant shall not be released at this time.

DATED this 19<sup>th</sup> day of December, 2008.

BY THE COURT:

s/ *David L. Piester*  
David L. Piester  
United States Magistrate Judge